HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1269 of 2001 (SS)
(Old No. 37263/99)

Kumari Parminder Kaur d/o J.S. Bindra, 4 D.L. Road, Dehradun, District Dehradun ..... Petitioner

Versus

1. Basic Shiksha Parishad, Allahabad
2. District Basic Education Officer, Dehradun

..... Respondents

Sri M.S. Negi, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 28.8.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order dated 10/13.8.1999 passed by the respondent no. 2.

Briefly stated, the petitioner was appointed as Assistant Teacher vide order dated 27.3.1999, under U.P. Recruitment of Dependants of Government Servants, Dying in Harness Rules, 1974 and since then she has been continuously working as Assistant Teacher. On 10/13.8.99, respondent no. 2 issued a letter to the petitioner by canceling her initial appointment and ask her to work as peon in the same institution.

The grievance of the petitioner is that she was given appointment on compassionate ground on the post of Assistant Teacher and she cannot be reverted to Class IV post. The order

was passed without affording any opportunity of hearing to the petitioner.

In view of the above, liberty is given to the petitioner to file a fresh representation before the respondents within one month after obtaining certified copy of this order, which shall be decided within two months thereafter.

Accordingly, writ petition is disposed of. No order as to costs.

Dated: 28.8.2006 **Rajesh Tandon, J.**

*Dhyani